

PATENT

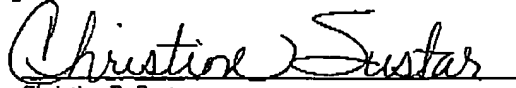
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MS147249.01 / MSFTP102US

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 571-273-8300 on the date shown below to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: 2-1-06


Christine R. Sustar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Lucius Gregory Meredith
et al.

Examiner: Trenton J. Roche

Serial No: 09/560,371

Art Unit: 2193

Filing Date: April 28, 2000

Title: BINDING FOR BUSINESS WORKFLOW PROCESSES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REPLY TO ADVISORY ACTION DATED JANUARY 26, 2006

Dear Sir:

Favorable reconsideration of the above-identified patent application is respectfully requested in view of the comments below.

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REMARKS

Claims 8-25 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 8-25 Under 35 U.S.C. §103(a)

Claims 8-25 stand rejected under 35 U.S.C. §103(a) as being anticipated by Boden *et al.* (US 5,930,512) in view of Lau (US 6,598,219 B1). It is requested that this rejection be withdrawn for at least the following reason. Boden *et al.* and Lau, alone or in combination, do not teach or suggest all the limitations of the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) *must teach or suggest all the claim limitations*. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaech*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Applicants' claimed invention relates to employing a binding for interfacing a business workflow process executable program to a real world implementation (See pg. 2, ll. 29-30), where the separation of the business workflow processes and the binding of technological components allows a business workflow process to be implemented across a variety of different technologies. (See pg. 3, ll. 6-8). In particular, independent claims 8, 16, and 22 recite a similar limitation: *a binding component that binds the plurality of business operations through a schedule message, a port connection, a port and a message interface with a component outside of the dataflow diagram*. Binding business

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operations *outside* a dataflow diagram enables any given workflow process to be flexibly utilized for multiple business operations. Boden *et al.* and Lau, alone or in combination, do not teach or suggest this aspect as claimed.

Boden *et al.* describes the use of a web server and workflow server for process modeling. (See Abstract). The Examiner contends that Boden *et al.* discloses the above limitation at col. 5, ll. 21-22 and col. 7, ll. 29-31. (See Final Office Action dated November 1, 2005, pg. 3). Applicants' representative respectfully disagrees with such contention.

At the indicated passages, Boden *et al.* discusses a program that is invoked when the assigned program activity starts (See col. 5, ll. 21-22) and adequately supports the work of the activity. (See col. 7, ll. 29-31). Although the cited reference indicates the capability of running and supporting a program activity, it fails to teach or suggest *a binding component that binds the plurality of business operations through a schedule message, a port connection, a port and a message interface with a component outside of the dataflow diagram*. Rather, there is no indication that the mentioned activities are separated from the workflow or dataflow diagram.

The Examiner erroneously responds that the application programs in Boden *et al.* are not part of the process diagram as described at col. 5, ll. 20-22 and col. 7, ll. 29-31, but are considered to be separated from the diagram. (See Advisory Action dated January 26, 2006, pg. 2). Applicants' representative respectfully disagrees.

The above passages discuss an aspect where a program is invoked when an activity is started (See col. 5, ll. 20-22) and that program supports the work to be completed by the activity. (See col. 7, ll. 29-31). The cited reference still fails to teach or suggest the claimed separation of business operations from the dataflow diagram. The reference does not indicate that the program is bound to a component outside a dataflow diagram, but instead seems to be incorporated into the program and process activities.

In addition, independent claim 8 (and similarly, independent claims 16 and 22) recites that the *scheduling component employs XML programming language* and the *binding component employs XML programming language*. XML provides numerous advantages for applicants' invention, including: allowing a user to specify dependency and independence between components, transaction, compensation, and checkpoint

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boundaries (See pg. 21, ll. 3-4), allowing a user to specify mechanisms for abstracting the workflow from the implementations of the components (See pg. 21, ll. 5-6), defining the abstract location where a message is to be sent and received (See pg. 22, ll. 3-5), allowing a user to specify the ordering of individual actions and whether those actions are performed sequentially or concurrently (See pg. 22, ll. 5-7), and describing elaborate ordering of actions. (See pg. 22, ll. 11-12). Boden *et al.* and Lau, alone or in combination, do not teach or suggest this aspect of the claimed invention.

The Examiner concedes that Boden *et al.* does not disclose a scheduling and binding component employing XML (See Final Office Action dated November 1, 2005, pg. 3), but erroneously contends that Lau discloses an analogous software model employing XML at col. 2, ll. 33-35 and col. 3, ll. 5-20. (See Final Office Action dated November 1, 2005, pg. 3). Applicants' representative avers to the contrary.

Lau relates to a data model expressed in XML. (See Abstract). The above noted passages describe XML-based data elements corresponding to tasks (See col. 3, ll. 5-20), where the open standard refers to universally known and understood functions. (See col. 2, ll. 33-35). Open standard allows different users to be able to recognize the code, which is an advantage of using XML. The inherent characterizations of the XML language itself do not provide a motivation to combine the language of Lau with the model of Boden *et al.* It is not obvious to one of ordinary skill in the art to employ the XML language to a scheduling component and a binding component simply because Lau appears to discuss the generic advantages of the language with respect to individual data elements.

Furthermore, claim 25 recites that *the link is provided in a programmable language having XML syntax*. Boden *et al.* and Lau, alone or in combination, fail to teach or suggest the utilization of XML with respect to the scheduling and binding module, let alone for the link between the file with business operations and the plurality of disparate business implementations.

In view of at least the foregoing, it is readily apparent that Boden *et al.* and Lau, alone or in combination, do not teach or suggest the invention as recited in independent claims 8, 16, and 22 (and associated dependent claims 9-15, 17-21, and 23-25). Accordingly, this rejection should be withdrawn.

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CONCLUSION

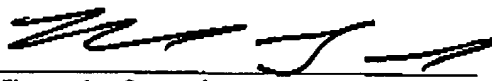
The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP102US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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